

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ORVILLE W. MURPHY,

Plaintiff,

v.

No. CIV 09-0907 MV/LAM

WARDEN TERRY, ET AL.,

Defendants.

ORDER

THIS MATTER is before the Court on Plaintiff's *Civil Rights Complaint Pursuant to 42 U.S.C. § 1983* (Doc. 1). Plaintiff is incarcerated as an alien detainee. See *Order* (Doc. 7). He appears *pro se* and is proceeding *in forma pauperis*. The complaint alleges that Plaintiff has been unreasonably strip-searched, his food is prepared in violation of his religious beliefs, and he is not allowed to practice his religion. *Civil Rights Complaint Pursuant to 42 U.S.C. § 1983* (Doc. 1) at 1-3, 8-9. Plaintiff asserts that these actions have violated his constitutional rights. *Id.* His allegations against the named Defendants survive initial scrutiny under Fed. R. Civ. P. 12(b)(6) and *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007) (requiring that a complaint contain "enough facts to state a claim to relief that is plausible on its face.").

IT IS THEREFORE ORDERED that the Clerk is directed to issue notice and waiver of service forms, with copies of the complaint, for Defendants Terry and Frawner.

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE